11-17-03 maje PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ter the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/749,284 TRANSMITTAL Filing Date December 26, 2000 **FORM** First Named Inventor Gene R. Anderson Art Unit 2877 (to be used for all correspondence after initial filing) **Examiner Name** Valentin, Juan D. Attorney Docket Number 1613370-0005 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information **Provisional Application** After Final Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer **Extension of Time Request** Identify below): PTO Form SB/08A; 1 cited reference; return Request for Refund **Express Abandonment Request** postcard CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm James M. Wu (Reg, No. 45,241) White & Case LLP Individual name 1155 Avenue of the cas, New York, NY 10036 me Signature Date Nøvember 14 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express Mail No.: EL 612 596 414 US Typed or printed name Melissa McCool

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Date

November 14, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

09/749,284

Confirmation No.

Applicant

Gene R. Anderson et al.

Filed:

December 26, 2000

TC/A.U.

2877

Examiner

Valentin, Juan D.

Docket No.

1613370-0005

Customer No.:

007470

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail No. EL 612 596 414 US in an envelope addressed to: Mail Stop I.D.S., Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 14, 2003

Melissa McCool

Cionata

November 14, 2003

Name

Signature

Date

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop I.D.S. Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references coming to the attention of Applicants or attorneys or agents for Applicants which are or may be material to the examination of the subject application, Attorneys for Applicants hereby invite the Examiner's attention to the reference(s) listed on the accompanying PTO Form SB/08A and SB/08B.

Applicants submit the present information disclosure statement under 37 CFR 1.97(c)(1). Applicants become aware of the cited-reference listed in the information disclosure statement from an Office Action of a related case (U.S. patent application no. 09/749,286) mailed on November 7, 2003.

Identification of references listed on the attached PTO form is not to be

construed as an admission of Applicants or attorneys for Applicants that such references are

material or available as prior art against the subject application. The right is reserved to

antedate any item in accordance with standard procedure.

This submission is understood to complement the results of the Examiner's

own independent search. The submission should not be construed as a representation that a

search was made, or that the cited items are inclusive of all the relevant and material citations

that may be available publicly.

Copies of the cited reference(s) are enclosed. Applicants respectfully request

that the Examiner review the attached references and that they be made of record in the file

history of the above-captioned application.

Applicants believe that there is no fee due in connection with the filing of this

Information Disclosure Statement, however, should a fee be required, the Commissioner is

hereby authorized to charge White & Case LLP Deposit Account No. 23-1703.

Dated: November 14, 2003

(Reg. No. 45,241)

White &/Case LLP

1155 Avenue of the Americas

New York, NY 10036-2787

(650) 213-0302

-2-

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

	Complete if Known				
7	Application Number	09/749,284			
F	iling Date	December 26, 2000			
F	irst Named Inventor	Gene R. Anderson			
7	Art Unit	2877			
E	xaminer Name	Valentin, Juan D.			
1	Attorney Docket Number	1613370-0005			

				DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 5,997,185	12-07-1999	Kropp	
		US-			
		US-	-		
		US-			
		US-			
		US-	<u> </u>		
		US-			
	-	US-			
		US-			
		US-			
		US-			
	-	US-			
	l	US-			

	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY	, , , , , , , , , , , , , , , , , , , ,	Or Relevant Figures Appear	Τ'
		_, ,, , , , , , , , , , , , , , , , , ,				
						L

Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.